

Substitute for Form PTO-1380		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 033935-020
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/551094</b>
INTERNATIONAL APPLICATION NO. PCT/US2004/009384	INTERNATIONAL FILING DATE March 26, 2004	PRIORITY DATE CLAIMED March 28, 2003		
TITLE OF INVENTION <b>CLADRIBINE FORMULATIONS FOR IMPROVED ORAL AND TRANSMUCOSAL DELIVERY</b>				
APPLICANT(S) FOR DO/EO/US <b>Nicholas S. BODOR</b>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>				
Items 11 to 21 below concern document(s) or information included:				
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <u>Application Data Sheet</u></li> </ol>				

U.S. APPLICATION NO. (If known, see 37 CFR 1.6) **10/551094**INTERNATIONAL APPLICATION NO.  
PCT/US2004/009384ATTORNEY'S DOCKET NUMBER  
033935-020

21.  Applicant(s) requests that the published application include the following assignment information:

IVAX Corporation  
4400 Biscayne Boulevard  
Miami, Florida 33137 US

22.  The following fees are submitted:

Basic Filing Fee (1631)				\$ 300.00
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 \$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total Claims	39	-20 =	19	× \$50.00 (1615) \$ 950.00
Independent Claims	9	-3 =	6	× \$200.00 (1614) \$ 1,200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			† \$360.00 (1616)	
Examination Fee			† \$200.00 (1633)	\$ 200.00
Search Fee			† \$500.00 (1632)	\$ 500.00
App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)				
TOTAL OF ABOVE CALCULATIONS =				\$ 3,280.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 0.00
SUBTOTAL =				\$ 3,280.00
Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).				<input type="checkbox"/> 20 <input type="checkbox"/> 30 \$ 0.00
TOTAL NATIONAL FEE =				\$ 3,280.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +				
TOTAL FEES ENCLOSED =				\$ 3,280.00
				Amount to be refunded :
				charged :

- a.  A check in the amount of \$ 3,280.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 02-4800 in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.
- d.  Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620



SIGNATURE

Mary Katherine Baumeister  
NAME

26,254 September 28, 2005  
REGISTRATION NO. DATE